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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BILLY CEPERO

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, ET AL.,

Defendants.

Case No.: 2:11-cv-01421-JAD-NJK

ORDER TO CONTINUE TRIAL

Plaintiff Billy Cepero, by and through his counsel of record, Lauren D. Calvert, Esq., Karen Hanks, Esq., and Jason Martinez, Esq., of the law firm of Messner Reeves LLP, and Defendant, by and through his counsel of record, Craig Anderson, Esq., and Tye Hanseen, Esq., of the law firm of Marquis Aurbach, hereby submit this proposed Stipulation and Order to Continue Trial.

Plaintiff Cepero is currently incarcerated in High Desert State Prison in Indian Springs, Nevada. On January 6, 2022, Plaintiff's counsel spoke with employees and agents of the Warden's office there. Counsel was informed that due to the increased risks from COVID and its variants, the prison is on lock-down and that no visitors will be permitted, including legal counsel, and that no

inmates will be transported unless a medical emergency is presented. Additionally, counsel was informed that because the prison is so short staffed, they are unable to accommodate pre-arranged videoconferencing or telephone calls from legal counsel to inmates. Due to these restrictions, counsel cannot prepare Plaintiff for trial. Moreover, substantial prejudice would result from Plaintiff testifying at trial via videoconference (if even available) from prison in prison uniform. Thus, all counsel request the trial be continued to a date at which he can be prepared for trial and appear in person.

Dated this 10th day of January, 2022. Dated this 10th day of January, 2022.

MARQUIS AURBACH COFFING

MESSNER REEVES LLP

By: /s/ Tye S. Hanseen

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By: /s/ Lauren D. Calvert

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ORDER

Based on the parties' stipulation and good cause appearing, IT IS ORDERED that the trial currently set for 2/8/2022 is vacated and continued to 3/29/2022 at 9:00 a.m. trial stack; and the calendar call currently set for 1/31/2022 is vacated and continued to 3/21/2022 at 1:30 p.m. All trial briefs, proposed voir dire, proposed jury instructions exhibit lists and witness lists are due by noon on 3/21/2022.


UNITED STATES DISTRICT JUDGE

Dated: January 12, 2022.